

Because no claims were amended, no separate marked up version of the claims in accordance with 37 C.F.R. § 1.121(c)(3) was filed.

### REMARKS

This application is filed as a divisional of pending U.S.S.N. 09/472,274 (“the ‘274 application”) in an effort to correct the various inventorship and distinct invention issues which appear in the ‘274 application. In particular, the parent ‘274 application contain various claims directed to inventions which were invented solely by Applicant Roychowdhury, as well as claims directed to two or more independent and distinct inventions.

The claims in this application are directed to the invention which was solely developed by Applicant Sukomal Roychowdhury, namely the process of producing hydrogen from anaerobically digested organic materials. Claims 1-6, 16, 17 and 22 are the same as those of the ‘274 application. New claims 23-25 are each directed to an invention within claims 7, 15 and 18 of the ‘274 application.

Applicant Roychowdhury respectfully submits that any claims from this or the ‘274 specification which are directed to the process of producing hydrogen from anaerobically digested organic materials using, inter alia, an electric potential may only be prosecuted by Applicant Roychowdhury since he is the sole inventor of that invention. Hence, the filing of this divisional application preserves the appropriate inventorship relationship for the inventions disclosed and claimed in the ‘274 application.

Additionally, the filing of this divisional application is warranted because the ‘274 application contained claims directed to two or more independent and distinct inventions. MPEP § 803. Specifically, the ‘274 application contained a set of claims directed to the process of producing hydrogen as invented by Applicant Roychowdhury, and a set of claims directed to the


“separation means” which was jointly invented by the named inventors Roychowdhury and McAllister.

Applicant Roychowdhury respectfully requests an interview with the Examiner to further clarify the inventorship and multiple invention issues between this and the ‘274 application.

No additional fee is believed due. If there are any such charges, the Examiner is authorized to charge them to Deposit Account No. 50-0540.

No new matter has been added.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Roychowdhury

Serial No: Unassigned

Filed: August 17, 2001

For: **PROCESS FOR PRODUCTION OF HYDROGEN FROM  
ANAEROBICALLY DECOMPOSED ORGANIC  
MATERIALS**

Group Art Unit: 1741

Examiner: Arun Phasge

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New York, New York 10022

**37 C.F.R. § 1.121(b)(2)(iii)  
MARKED UP VERSION  
OF REPLACEMENT SECTION  
SUBMITTED IN PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.121(b)(2), Applicants hereby submit a marked up version of the cross referencing information as amended to show the changes made relative to the previous version that section.

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**Date Of Deposit: August 17, 2001**

KL3:2127658.1

IN THE SPECIFICATION

CROSS-REFERENCE TO RELATED APPLICATION

This application is a divisional of U.S. Application Serial No. 09/472,274, filed December 27, 1999, which is a continuation-in-part of U.S. Application Serial No. 08/659,644 filed June 6, 1996, now U.S. Patent No. 6,090,266, all of which are incorporated herein by reference.

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